

BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA



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Order Instituting Investigation on the
Commission's Own Motion into the Rates,
Operations, Practices, Services and
Facilities of Southern California Edison
Company and San Diego Gas and Electric
Company Associated with the San Onofre
Nuclear Generating Station Units 2 and 3.

And Related Matters.

Investigation 12-10-013
(Filed October 25, 2012)

Application 13-01-016
Application 13-03-005
Application 13-03-013
Application 13-03-014

**RESPONSE OF THE OFFICE OF RATEPAYER ADVOCATES
TO ADMINISTRATIVE LAW JUDGE'S FEBRUARY 6, 2018 RULING**

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February 15, 2018

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**RESPONSE OF THE OFFICE OF RATEPAYER ADVOCATES
TO ADMINISTRATIVE LAW JUDGE'S FEBRUARY 6, 2018 RULING**

Pursuant to a Joint Ruling, issued on February 6, 2018, as clarified by the Administrative Law Judge's February 14, 2018 email ruling, the Office of Ratepayer Advocates ("ORA") is hereby submitting this filing and the attached declaration regarding agreements associated with the instant proceeding.

The Joint Ruling identifies three agreements: (a) the January 30, 2018, proposed Settlement, (b) the January 10, 2018, Utility Shareholder Agreement between Southern California Edison Company ("SCE") and San Diego Gas & Electric Company ("SDG&E") (and their respective parent companies), and (c) the January 30, 2018, Federal Court Agreement, between Plaintiffs in the Federal Court action and SCE. The Joint Ruling requires that each party that entered into the January 30, 2018 Proposed Settlement, including ORA, file and serve:

1. A filing identifying any other agreements that any party has entered into with or among the Joint Parties, a sub-set of the Joint Parties or third parties that relates to the proceeding, the proposed Settlement Agreement in the proceeding or is contingent upon the Commission adopting the proposed Settlement Agreement, or any other agreements of which the declaring Party has knowledge.¹

¹ Joint Ruling at 7.

In response to this directive, ORA advises in the instant filing that certain parties entered into a settlement agreement in 2014, which they amended later in 2014, and which the Commission approved in Decision 14-11-040. Furthermore, agreements were made that (a) relate to the process of the mediation, such as confidentiality agreements, (b) are subject to Rule 12.6 of the Commission's Rules of Practice and Procedure, such as the preliminary term sheet superseded by the proposed Settlement Agreement, or (c) relate to the litigation of the OII but not to its settlement, such as non-disclosure agreements, discovery agreements, common interest agreements, and cooperation agreements.

The Joint Ruling also requires that each party that entered into the January 30, 2018 Proposed Settlement, including ORA, file and serve:

1. A declaration pursuant to Rule 12 that any agreements identified in 1 above are the only such agreements that party has entered into, or that the party has entered into no such agreements. The declaration is to be provided pursuant to Rule 1.1.²

ORA is providing the requested declaration in Attachment 1.

Respectfully submitted,

/s/ EDWARD MOLDAVSKY

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February 15, 2018

² Joint Ruling at 7.

ATTACHMENT 1

DECLARATION OF AMY YIP-KIKUGAWA

I, Amy Yip-Kikugawa, declare as follows:

1. I am Assistant General Counsel for the California Public Utilities Commission and an attorney for the Office of Ratepayer Advocates.
2. I submit this declaration in response to the February 6, 2018, Joint Ruling of Assigned Commissioner and Administrative Law Judge Granting in Part and Denying in Part the Joint Motion to Stay Proceedings in Investigation 12-10-013 et al. ("Joint Ruling"), as clarified by the Email Ruling: 1.12-10-013 Clarification of Feb[ru]ary 6, 2018 Ruling in Response to E-mail Sent to ALJ on February 9, 2018 ("February 14 Ruling").
3. The Joint Ruling identifies three agreements: (a) the January 30, 2018, proposed Settlement Agreement ("Settlement Agreement"), (b) the January 10, 2018, Utility Shareholder Agreement between Southern California Edison Company ("SCE") and San Diego Gas & Electric Company ("SDG&E") (and their respective parent companies), and (c) the January 30, 2018, Federal Court Agreement, between Plaintiffs in the Federal Court action and SCE.
4. The February 14 Ruling clarifies that the Joint Parties are to identify all agreements, including agreements relating to the mediation process or to litigation of the OIL, insofar as those agreements "relate to the proposed settlement agreement, and or have provisions/terms that are contingent upon or make reference to the Commission adopting the proposed settlement." The February 14 Ruling states that agreements that are subject to Rule 12.6 or that have been superseded by the proposed Settlement Agreement or are no longer operative are excluded from this directive, as are the 2014 settlement agreement and its amendment.
5. Other than the agreements identified in paragraph 3 above or excluded by the directive as explained in paragraph 4, the Office of Ratepayer Advocates is not aware of any agreement between or among any of the Joint Parties, or between any of the Joint Parties and any third party, that relates to the proposed Settlement Agreement or has provisions/terms that are contingent upon or make reference to the Commission adopting the proposed Settlement Agreement.

I declare pursuant to Rule 1.1 of the Commission's Rules of Practice and Procedure that the foregoing is true and correct to the best of my knowledge and belief.

Executed at San Francisco, California, on February 15, 2018.



Amy Yip-Kikugawa